

SUNETHRA MURALIDHARA, ESQUIRE
Nevada Bar No. 13549
Wright Marsh & Levy
300 S. Fourth Street
Suite 701
Las Vegas, NV 89101
Phone: (702) 382-4004
Fax: (702) 382-4800
smuralidhara@wmllawlv.com

Attorney for Dannie Alton Luckett

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
DANNIE ALTON LUCKETT,)
Defendant.)

CASE NO. 2:22-CR-00026-JCM-VCF

**STIPULATION TO CONTINUE
SENTENCING HEARING**

(THIRD REQUEST)

IT IS HEREBY STIPULATED AND AGREED, between the United States of America, by and through its attorney, Jason M. Frierson, United States Attorney, and Daniel J. Cowhig, Assistant United States Attorney; and Defendant Dannie Alton Luckett, by and through his counsel, Sunethra Muralidhara, Esquire, of Wright Marsh & Levy, that the sentencing hearing currently scheduled for December 18, 2023 at 10:00 a.m. be vacated and continued to January 10, 2024 at 10:00 a.m.

This stipulation is entered into for the following reasons:

1. This case is fully briefed. The government filed its sentencing memorandum on June 7, 2023 (ECF 56). The defense filed its sentencing memorandum on November 29, 2023 (ECF 62). No formal objections to the PSR were filed.

2. The parties agree to the continuance. Mr. Luckett is in pretrial detention and agrees to this requested continuance.

3. This continuance is being requested because defense counsel is sick with the flu and will not be adequately prepared for sentencing in the current setting. Additionally, it would to be

1 the best interest of all parties for counsel not to appear in a public setting with flu symptoms. Further
2 given the nature of this case and defense counsel's relationship with client, it would be best for
3 continuity of counsel for her to attend sentencing when she is well rather than seek coverage.

4 4. Additionally, denial of this request for continuance could result in a miscarriage of
5 justice.

6 5. The additional time requested by this Stipulation is made in good faith and not for
7 purposes of delay.

8 6. This is the third request for a continuance of the sentencing hearing.

9 Dated this 13th day of December, 2023.

10 WRIGHT MARSH & LEVY

JASON M. FRIERSON
UNITED STATES ATTORNEY

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12 By: /s/ Sunethra Muralidhara
13 SUNETHRA MURALIDHARA, ESQUIRE
Attorney for Dannie Alton Lockett

By: /s/ Daniel J. Cowhig
DANIEL J. COWHIG
Assistant United States Attorney

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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|---------------------------|---|--------------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | CASE NO. 2:22-CR-00026-JCM-VCF |
| Plaintiff, |) | |
| |) | |
| v. |) | ORDER |
| |) | |
| DANNIE ALTON LUCKETT, |) | |
| |) | |
| Defendant. |) | |

Based on the Stipulation of the parties and good cause appearing, the sentencing hearing in this matter is hereby continued. The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy sentencing, since the failure to grant said continuance would be likely to result in a miscarriage of justice, and would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for sentencing, taking into account the exercise of due diligence.

IS IT HEREBY ORDERED that the sentencing in the above-captioned matter currently scheduled for December 18, 2023, at 10:00 a.m., be vacated and continued to **January 10, 2024 at 10:00 a.m.**

Dated: December 15, 2023.



JAMES C. MAHAN
UNITED STATES DISTRICT COURT